

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Yasuo MORITMOTO et al.

Title: SIDE EFFECT-RELIEVING AGENTS AND/OR HYPOGLYCEMIC  
EFFECT ENHANCERS FOR THIAZOLIDINE COMPOUNDS

Appl. No.: Unassigned

Filing Date: 02/06/2004

Examiner: Unassigned

Art Unit: Unassigned

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

**RELEVANCE OF EACH DOCUMENT**

The relevance of documents A7-10 is described in the present specification.

Documents A1-A4 and A7 claim priority based on the same first-filed application.

Documents A5 and A8 claim priority based on the same first-filed application.

Documents A6 and A9 claim priority based on the same first-filed application.

Documents A11-A16 were cited in the International Search Report in Applicants' International Application PCT/JP02/07764. A copy of the International Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

English translations of the foreign-language documents are not readily available. However, the absence of such translations does not relieve the PTO from its duty to consider the submitted foreign language documents (37 CFR §1.98 and MPEP §609). English language abstracts are provided herewith.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 6, 2004

By Richard L. Schwaab

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Substitute for form 1449B/PTO				Complete if Known	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Application Number</b>	Unassigned
Date Submitted: February 6, 2004 <i>(use as many sheets as necessary)</i>				<b>Filing Date</b>	02/06/2004
				<b>First Named Inventor</b>	Yasuo MORIMOTO
				<b>Group Art Unit</b>	Unassigned
				<b>Examiner Name</b>	Unassigned
				<b>Attorney Docket Number</b>	016912-0207
Sheet	1	of	1		

## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
A1	4,444,779			KAWAMATSU ET AL.	04-24-1984	
A2	4,438,141			KAWAMATSU ET AL.	03-20-1984	
A3	4,340,605			KAWAMATSU ET AL.	07-20-1982	
A4	4,287,200			KAWAMATSU ET AL.	09-01-1981	
A5	5,002,953			HINDLEY	03-26-1991	
A6	4,572,912			YOSHIOKA ET AL.	02-25-1986	

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A7	JP	55-22636	A	TAKEDA CHEM IND. LTD.	02-18-1980		Abstract
	A8	JP	1-131169	A	BEECHAM GROUP PLC.	05-24-1989		Abstract
	A9	JP	60-51189	A	SANKYO KK	03-22-1985		Abstract
	A10	WO	93/03724	A1	THE UPJOHN COMPANY	03-04-1993		
	A11	JP	11-130686	A	Yutaka ARAKI	05-18-1999		Abstract
	A12	JP	2000-327586	A	HUMAN TEKKU:KK	11-28-2000		Abstract
	A13	EP	0 208 420	A1	TAKEDA CHEMICAL INDUSTRIES, LTD.	01-14-1987		

## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	A14	T. Kobayashi et al., "Antihyperglycemic Effects of Mao-to (Ma-Huang-Tang), a Kampo Formulation, in Streptozotocin-Induced Diabetic Mice", Journal of Traditional Medicines, 16, (1999), pages 183-189.	
	A15	I. Kimura et al., "The Antihyperglycaemic Blend Effect of Traditional Chinese Medicine Byakko-ka-ninjin-to on Alloxan and Diabetic KK-CA <sup>Y</sup> Mice", Phytotherapy Research, 13, (1999), pages 484-488.	
	A16	Y-L Liu et al., "Contribution of $\beta_3$ -adrenoceptor Activation to Ephedrine-Induced Thermogenesis in Humans", International Journal of Obesity, 19 (1995), pages 678-685.	

Examiner Signature		Date Considered	
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**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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